



## ARIZONA DEPARTMENT OF WEIGHTS AND MEASURES

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- 1) Will W & M allow a technician to perform a test if they have not been certified?

***The Department does not certify testers it does however, license them. To that point according to the Arizona Administrative Code (AAC) R20-2-602 only licensed testers can conduct a test. So if some one is conducting a test and is not licensed with the Department they are in violation of AAC R20-2-604(A).***

- 2) Does the Actual Technician Performing the test have to hold the certification or can it be a certified person on site, or someone from the RSA hold a license/certification?

***According to AAC R20-2-604 it is prohibited to perform any duties of a registered Service Representative ( RSR) without holding a RSR license. Only a licensed RSR can perform the test. AAC R20-2-602 spells out those duties. The rule does allow a person to be trained while in the direct line of sight and hearing of a licensed RSR.***

- 3) Pressure decay test must start within 30 minutes of scheduled test time, does this also mean if the inspector is late we should start testing without them, after notifying Weights & Measures?

***The test cannot be started until the state inspector is present. The Department will make every effort to have the State inspector present at the time the test is scheduled. But in the event that unforeseen circumstances prevent the State Inspector from being there at the scheduled time the Department has discretion to wave this requirement. The Test should begin when the State Inspector arrives.***

- 4) Removing all of the dispenser doors at the witness test should not fall on the testing company's responsibility, except for the dispenser that blockage is performed at. This is the only dispenser that applies to Stage II.

***All of the dispensing equipment and associated piping are integral parts of the Stage II vapor recovery system. We must ensure all components of the system are under test. This requirement is spelled out in the Departments Standard Operating Procedures (SOP),305 and 306. The Department will be issuing these procedures to the Registered Service Agencies (RSA), as part of the Vapor Recovery Program. Under section AAC R20-2-910(F). The RSR is required to perform all tests according to Article 9 and any other vapor recovery procedures that the Department issues to the RSA.***

- 5) Opening the vault door should not be the responsibility of the testing company at the witness test. The only time we would open up the vault doors is if the pressure decay was failing and we need to check the emergency vents. An open vault becomes a safety issue and safety protocol requires some type of fencing to secure an open hole.

***The vault inspection and that of the associated components are part of the overall inspection of the VR system and must be completed. These steps are to ensure all components are operational and no short cuts have been taken or integral parts of the system have been compromised or bypassed. This requirement is spelled out in the Departments Standard Operating Procedures 305 and 306. The Department will be issuing these procedures to the Registered Service Agencies (RSA), as part of the Vapor Recovery Program. Under section AAC R20-2-910 (F). The RSR is required to perform all tests according to Article 9 and any other vapor recovery procedures that the Department issues to the RSA. It is the responsibility of the RSA to provide the RSR with all***

**necessary training and equipment to perform their job. It is assumed that the RSA will meet these requirements and provide the RSR with all the necessary safety training and equipment to perform this task.**

- 6) Will retest be performed (a/l test) at the witness test if repair(s) are Minimal (adjustment or nozzle replacement)

**The CARB Executive orders as well as R20-2-910(E) call for no repairs to be made once the test has begun. The equipment will be tagged out of service before leaving the site. It is the Departments responsibility to make the determination if a retest will be performed.**

- 7) If a part of the test fails and we are able to isolate the problem from the rest of the system. Current rules say that we can continue testing, has this changed?

**The current rule R20-2-104 (L)(6) does say that you can isolate a system component so that the rest of the system can operate. If a nozzle fails for A/L that nozzle will be placed out of service and the rest of the nozzles may continue to operate. If the RSR has conducted a pretest the VR system should be ready for the annual test.**

- 8) Need clarification of the pressure decay introduction: Currently nitrogen is introduced at a rate of up to 5 psi, but the new rule states that the pressure will not exceed 1 PSI. This will take much longer, especially if the Ullage is high. Is this "concrete" can it remain the same 1-5 PSI. Other jurisdictions use a 2 wci test, but our 10 wci test requires more that 5 times as much nitrogen be introduced, and using a slower rate will significantly increase the amount of time to pressure the system up.

**In the CARB Executive orders the Maximum of 1psi is stated.**

- 9) New rule - no rubber or flex piping under dispensers. Is this for all piping or just for the blockage port. There are a lot of independents that only have rubber or flex piping. The old Tokheim dispensers do not have room to install hard piping. The stations would have to remove their dispensers and re-pipe them. Can the existing sites that have already been passing Stage II, be grand fathered in. If station owner upgrades his station, this rule can then apply to upgrades or new installs.

**In G150 AD, Exhibit 2, page 4, #3 States "The dispenser shall be connected to the riser with either flexible or rigid material which is listed for use with gasoline " This requirement applies across the board. It is not new. The excuse( I guess I don't know what this means) setting up a safety issue and shear value won't work. The current regulations do not have provisions for grand fathering in equipment that is non-compliant. In addition to the requirement in the CARB executive orders the Departments ATC #6 spells out the requirements.**

- 10) Vent pipes the majority of the pipes are tapped at 3-4 feet. Does the new rule mean that we should retap and install new plug 6-8' on the vent pipe?

**The new rule does not alter what is currently in the CARB Executive orders and in the Departments ATC #14) the vent pipes are required to be taped from 6-8'. Unless all the installation are out of compliance the Department believes that you will find most of the vent pipes taped at this level.**



- 11) Octane labels - are these labels required IF - the site has no contact with the public and if they are only dispensing 1 grade of gasoline (i.e. a fire station.)

**No, AAC R20-2-705 (A) applies to service stations. Service Station is defined in AAC R20-2-701, no. 46 as a retail business operated for the purpose of dispensing motor fuel into fuel tanks of motor vehicles. This will hold true as long as the customer does not have to pay from the fuel. So a fire station would not be a retail business.**

- 12) Octane labels - Are MTBE labels still required

**The Department is currently working on developing a policy and notice which will address this question. At this time the concentration currently listed on the label is incorrect. The maximum concentration allowed by law is only 0.3 volume %.**

- 13) Information Stickers - Is it a requirement that the dispensers also have the Fueling Instructions with the Departments telephone number, if there are other stickers on site displaying the Departments telephone number on them. (our opinion is yes, because it informs the public how to dispense fuel)

**Yes under ARS 2132 (F) requires the operator of gasoline dispensing site with state II vapor recovery shall post operating instructions. Additionally, AAC R20-2-908 (B) states the in addition to the requirements in ARS 41-2132 you also have to post the Departments number.**

- 14) When performing dry break pop test, if after testing 3 times and still fails. New rule reads that dry break failing, results with a stop sale issued and testing will continue. Testing contractor will make repairs and fax test results to W & M. Just double checking, some passed experienced shows pressure decay failed and testing is stopped.

**In some cases the dry break could be malfunctioning and the site could still pass the pressure decay test. And in other cases the dry break malfunctioning could be the cause of a pressure decay failure a reinspection must be scheduled. If the site fails the pressure decay test the annual test is over and a civil penalty is issued. The Dry break in any instance must be repaired or replaced and a test of the system be conducted.**

- 15) The failure point for pressure decay - 9 wci is not specifically mentioned.

**In TP 91-1 under section 5.0 Test Standards it states.**

- 16) Listing the criteria for shutting down the station during a witness test.

**The Department needs more clarification as to what you are looking for. Please provide and the Department will address that question.**

- 17) Do you require the manometers to be calibrated? If so maybe the date of calibration should be listed on the form.

**Yes the Department believes that all measurement instrumentation should be calibrated. The department will add this to the form.**

- 18) As far a scheduling times for technicians to attend the class, afternoons are the best. Notification preferably would be two weeks in advance.

**The Department is planning to give all the companies enough time to schedule their testers. The Department is planning to hold the training session in the afternoon and on two separated day in order to minimize the impact to the schedule of annual testing.**

The Department would like to thank you for your question. The Department believes that through these open lines of communication we can bring to the Vapor Recovery program clarification and ultimately more effective.

Sincerely,

Shawn Marguez  
Compliance Program Manager

cc D.Yantorno

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